

Application No.: 10/725,929
Amendment Dated: March 19, 2007
Reply to Office Action of: December 19, 2006

MTS-3580US

Remarks/Arguments:

Claims 1 and 5-14 have been amended. No new matter is introduced herein. Claim 21 has been cancelled. Claims 1, 3, and 5-20 are pending.

Claims 1 and 9-14 have been amended to clarify that the parameter information file includes a position indicator indicating a position of each of the plurality of data files in the record medium. Support for the amendment to claims 1 and 9-14 can be found in the original specification, for example, at page 13, line 19-page 15, line 17; and Fig. 2. Claims 5-7 have also been amended to correspond to claim 1.

The specification has been objected to as failing to provide proper antecedent basis for the claimed subject matter. In particular, paragraph 5 of the Office Action asserts that there is insufficient antecedent basis for the limitation "location indicator," recited in claims 1, 6, 7, and 9-14. Claims 1, 5-7, and 9-14 have been amended to recite a "position indicator" where the position indicator indicates a position of each of the data files in the record medium. Support for the amendment is discussed above. Accordingly, Applicants respectfully request that the objection to the specification be withdrawn.

Claim 8 has been objected to as being in improper multiple dependent form. Applicants note, however, that according to MPEP § 608.01(n), page 600-86, the phrase "any one of claims 1 and 3" is one of the acceptable phrases for multiple dependent claims. In order to expedite prosecution, claim 8 has been amended to recite "according to claim 1 or 3." Applicants have included a copy of page 600-86 in order to emphasize that both previously amended and currently amended claim 8 are in one of the acceptable forms for a multiple dependent claim. Accordingly, Applicants respectfully request that the objection to claim 8 be withdrawn.

Claims 1, 3, and 9-20 have been rejected under 35 U.S.C. §102(b) as being anticipated by Murphy et al. (US Pat. No. 6,282,362). It is respectfully submitted, however, that these claims are now patentable over the cited art for the reasons set forth below.

Claim 1, as amended, includes features neither disclosed nor suggested by the cited art, namely:

a recording apparatus including a parameter extractor for extracting parameter information associated with each of the plurality of data files and recording the parameter information... as a parameter information file... including a position indicator indicating a position of each of the plurality of data files in the record medium and a reproduction parameter for each of the plurality of data files...

a reproducing apparatus... for reproducing one of the plurality of data files by using the corresponding position indicator and the corresponding reproduction parameter in the parameter information file. (Emphasis Added)

Murphy et al. disclose, in Fig. 1, a position/image digital recording and display system 100 including a recording unit 102 and a playback unit 104 (Col. 8, lines 40-54). Images stored in recording unit 102 have a corresponding geographical location L_i of capture, a capture time T_i , and an associated index number N_i for post-processing (Col. 9, lines 45-67). Upon reproduction by playback unit 104, a first screen 210 displays images 230, 240 and a second screen displays a map 250 with icons 260, 270 corresponding to images 230, 240. The icons are located on the map according to their geographical locations at the time the images were recorded (i.e. captured). (Col. 10, lines 21-44 and Fig. 1).

Murphy et al. do not disclose or suggest Applicant's claimed features of "the parameter information file including a position indicator indicating a position of each of the plurality of data files in the record medium and a reproduction parameter for each of the plurality of data files" or "a data reproducer for reproducing one of the plurality of data files by using the corresponding position indicator and the corresponding reproduction parameter in the parameter information file" (emphasis added). These features are neither disclosed nor suggested by Murphy et al. Murphy et al. are silent on a position indicator that **indicates a position** of each data file **in the record medium** and a reproduction parameter. Because Murphy et al. do not disclose or suggest a position indicator as recited in claim 1, Murphy et al. cannot disclose or suggest a data reproducer that reproduces one of the data files by using the corresponding position indicator and the corresponding reproduction parameter in the parameter information file. Instead, Murphy et al. disclose a **geographical capture location**

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that is used to provide a corresponding icon on a map. Thus, Murphy et al. do not disclose or suggest all of the features of claim 1. Accordingly, allowance of claim 1 is respectfully requested.

Claim 3 includes all of the features of claim 1 from which it depends. Accordingly, claim 3 is also patentable over the cited art.

Amended independent claims 9-14, although not identical to claim 1, include similar features neither disclosed nor suggested by the cited art, namely, 1) a parameter information file that includes a position indicator indicating a position of each of the plurality of data files in the record medium and a reproduction parameter for each of a plurality of data files or 2) reproducing a data file by using a corresponding position indicator and a corresponding reproduction parameter in the parameter information file. As discussed above, these features are neither disclosed nor suggested by the cited art. Accordingly, allowance of claims 9-14 is respectfully requested.

Claims 15-20 include all of the features of respective claims 12-14 from which they depend. Accordingly, claims 15-20 are also patentable over the cited art.

Claims 5 and 6 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Murphy et al. in view of Hancock (WO 02/41319). Claims 5 and 6, however, include all of the features of claim 1 from which they depend. Hancock does not make up for the features that are lacking in Murphy et al. Accordingly, claims 5-6 are also patentable over the cited art.

Claim 7 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Murphy et al. in view of Kimura et al. (U.S. Pat. No. 6,665,690). Claim 7, however, includes all of the features of claim 1 from which it depends. Kimura et al. do not make up for the features that are lacking in Murphy et al. Accordingly, claim 7 is also patentable over the cited art.

Claims 8 and 21 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Murphy et al. in view of Ohnuma (U.S. 2003/0012549). Claim 21 has been cancelled. Claim 8, however, includes all of the features of claim 1 from which it depends. Ohnuma does

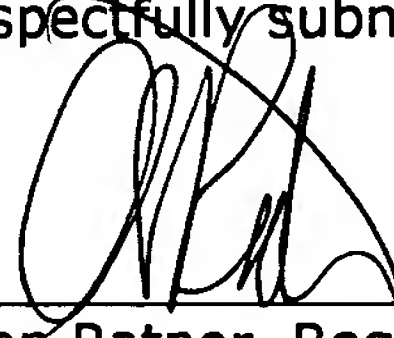
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not make up for the features that are lacking in Murphy et al. Accordingly, claim 8 is also patentable over the cited art.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,



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Enclosure: Page 600-86 of the MPEP

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Examiner Note:

1. In bracket 2, insert --should refer to other claims in the alternative only--, and/or, --cannot depend from any other multiple dependent claim--.
2. Use this paragraph rather than 35 U.S.C. 112, fifth paragraph.
3. In bracket 3, insert --has-- or --s have--.

Assume each claim example given below is from a different application.

A. Acceptable Multiple Dependent Claim Wording

Claim 5. A gadget according to claims 3 or 4, further comprising ---

Claim 5. A gadget as in any one of the preceding claims, in which ---

Claim 5. A gadget as in any one of claims 1, 2, and 3, in which ---

Claim 3. A gadget as in either claim 1 or claim 2, further comprising ---

Claim 4. A gadget as in claim 2 or 3, further comprising ---

Claim 16. A gadget as in claims 1, 7, 12, or 15, further comprising ---

Claim 5. A gadget as in any of the preceding claims, in which ---

Claim 8. A gadget as in one of claims 4-7, in which ---

Claim 5. A gadget as in any preceding claim, in which ---

Claim 10. A gadget as in any of claims 1-3 or 7-9, in which ---

Claim 11. A gadget as in any one of claims 1, 2, or 7-10 inclusive, in which ---

B. Unacceptable Multiple Dependent Claim Wording

1. Claim Does Not Refer Back in the Alternative Only

Claim 5. A gadget according to claim 3 and 4, further comprising ---

Claim 9. A gadget according to claims 1-3, in which ---

Claim 9. A gadget as in claims 1 or 2 and 7 or 8, which ---

Claim 6. A gadget as in the preceding claims in which ---

Claim 6. A gadget as in claims 1, 2, 3, 4 and/or 5, in which ---

Claim 10. A gadget as in claims 1-3 or 7-9, in which ---

2. Claim Does Not Refer to a Preceding Claim

Claim 3. A gadget as in any of the following claims, in which ---

Claim 5. A gadget as in either claim 6 or claim 8, in which ---

3. Reference to Two Sets of Claims to Different Features

Claim 9. A gadget as in claim 1 or 4 made by the process of claims 5, 6, 7, or 8, in which ---

4. Reference Back to Another Multiple Dependent Claim

Claim 8. A gadget as in claim 5 (claim 5 is a multiple dependent claim) or claim 7, in which ---

35 U.S.C. 112 indicates that the limitations or elements of each claim incorporated by reference into a multiple dependent claim must be considered separately. Thus, a multiple dependent claim, as such, does not contain all the limitations of all the alternative claims to which it refers, but rather contains in any one embodiment only those limitations of the particular claim referred to for the embodiment under consideration. Hence, a multiple dependent claim must be considered in the same manner as a plurality of single dependent claims.

C. Restriction Practice

For restriction purposes, each embodiment of a multiple dependent claim is considered in the same manner as a single dependent claim. Therefore, restriction may be required between the embodiments of a multiple dependent claim. Also, some embodiments of a multiple dependent claim may be held withdrawn while other embodiments are considered on their merits.